

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

DONNELL W PRICE,

Petitioner,

v.

PATRICK GLEBE,

Respondent.

CASE NO. C14-5011 BHS-JRC

ORDER

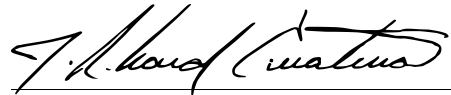
The District Court has referred this petition for a writ of habeas corpus to United States Magistrate Judge J. Richard Creatura. The Court's authority for the referral is 28 U.S.C. § 636(b)(1)(A) and (B), and local Magistrate Judge Rules MJR3 and MJR4. Petitioner seeks relief from a state conviction. Petitioner filed the petition pursuant to 28 U.S.C. § 2254.

Petitioner asked the Court to stay this matter so that he could exhaust claims (Dkt. 21). In the original answer, respondent argued that the petition is a mixed petition (Dkt. 19). Respondent did not oppose staying the proceedings to give petitioner the opportunity to exhaust his claims (Dkt. 22).

1 The Court stayed the petition until December 31, 2014 (Dkt. 23). Petitioner needed to  
2 file a motion to continue the stay prior to December 21, 2014, if he wanted the Court to continue  
3 the stay. Petitioner has not filed anything in this action since he requested the stay in May of  
4 2014 (Dkt. 21).

5 Under the terms of the Court's order staying this action the stay has expired (Dkt. 23).  
6 The Court needs additional information regarding exhaustion because neither party has informed  
7 the Court of the outcome of petitioner's state actions. Accordingly, the Court orders that  
8 respondent supplement his answer and inform the Court if the arguments in the original answer  
9 are still valid. Respondent's supplemental answer must be filed on or before February 20, 2015.

10 Dated this 9<sup>th</sup> day of January, 2015.

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12 J. Richard Creatura  
13 United States Magistrate Judge  
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